

Date of decision: 20-6-1996

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram: S.K. KESHOTE, J
(20-6-1996)

Mr. D.S. Vasavada, party in person (now advocate of this court)

Mr. V. J. Desai for the respondents.

ORAL JUDGMENT:

Heard the learned counsel for the parties.

Challenge is made to the adverse remarks communicated to the petitioners. During the pendency of this special civil application, the adverse remarks communicated to many of the petitioners have been expunged. Otherwise also, writ petition against adverse remarks is not maintainable unless any order adversely affecting the service conditions is passed on the basis of the same. No order whatsoever has been produced before this court. No adverse effect has been there against the service conditions of the petitioners on the basis of the adverse remarks. The petitioners may have cause of action to challenge the adverse remarks in case any prejudicial order is passed affecting their service conditions on the basis of it and such order is required to be challenged, and not independently the adverse remarks.

2. In the result this special civil application is disposed of with the aforesaid observations. Rule discharged.

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